

U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Urbana)
CRIMINAL DOCKET FOR CASE #: 2:05-cr-20024-MPM-DGB All Defendants
Internal Use Only

05CR20024

08 CR 96

Case title: USA v. Arojojoye
Magistrate judge case number: 2:05-mj-07217-DGB

Date Filed: 06/02/2005
Date Terminated: 08/30/2006

Assigned to: Chief Judge Michael P.
McCuskey
Referred to: Magistrate Judge David G.
Bernthal

FILED

2-11-08
FEB 11 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Defendant (1)

Adewuyi Eddie Arojojoye
TERMINATED: 08/30/2006
also known as
Michael Cookes
TERMINATED: 08/30/2006
also known as
Timothy Anderson
TERMINATED: 08/30/2006
also known as
Donald Webb
TERMINATED: 08/30/2006

represented by **Carol A Dison**
BECKETT & WEBBER PC
508 S Broadway
PO Box 17160
Urbana, IL 61803-7160
217-328-0263
Fax: 217-328-0290
Email: Carol@beckettwebber.com
TERMINATED: 01/05/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Tiffani D Johnson
FEDERAL PUBLIC DEFENDER
300 W Main St
Urbana, IL 61801
217-373-0666
Fax: 217-373-0667
Email: tiffani_johnson@fd.org
TERMINATED: 06/09/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

A TRUE COPY
ATTEST
PAMELA E. ROBINSON, CLERK
BY: *P. Robinson*
DEPUTY CLERK
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
DATE: 2/6/08

James I Marcus
DZIEDZIAK & MARCUS PC
Suite 309
100 W Monroe Street
Chicago, IL 60603

312-443-5600
Email: jim@dzmlaw.com
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

FRAUDS AND SWINDLES From about April 2004 and continuing to about April 2005 dft knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services in violation of 18:1341

(1)

FRAUDS AND SWINDLES. From about April 2004 and continuing to May 2005 defendant knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services in violation of 18:1341.

(1s)

FRAUD BY WIRE, RADIO, OR TELEVISION From about April 2004 and continuing to about April 2005 dft knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services in violation of 18:1343

(2)

Disposition

Upon motion of the Government, Count 1 is dismissed.

It is the judgment of the Court that the defendant is hereby committed to the custody of the BOP for a term of 18 months. Said term to consist of 6 months on each of Counts 1s, 3s-6s to be served concurrently with each other and 12 months on Counts 7s-9s to be served concurrently with one another, but consecutively to the term imposed in Counts 1s, 3s-6s. Upon release from imprisonment, defendant shall be placed on supervised release for a term of three years. This term to consist of 3 years on each of Counts 1s, 3s-6s and 1 year on each of Counts 7s-9s, to all be served concurrently, with special conditions. Defendant is to pay \$18,413.12 restitution and \$800 special assessment.

Upon motion of the Government, Count 2 is dismissed.

FRAUD BY WIRE, RADIO, OR TELEVISION. From about April 2004 and continuing to May 2005, defendant did, for the purpose of executing the scheme, did cause to be transmitted in interstate commerce, by means of wire communication, certain signs, signals and sounds, in which the defendant made false representations in violation of 18 USC 1343.

(2s)

Upon motion of the Government, Count 2s is dismissed.

FRAUDS AND SWINDLES From about April 2004 and continuing to about April 2005 dft knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services in violation of 18:1341

(3-5)

Upon motion of the Government, Counts 3-5 are dismissed.

FRAUDS AND SWINDLES. From about April 2004 and continuing to May 2005 defendant knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services in violation of 18:1341.

(3s-6s)

It is the judgment of the Court that the defendant is hereby committed to the custody of the BOP for a term of 18 months. Said term to consist of 6 months on each of Counts 1s, 3s-6s to be served concurrently with each other and 12 months on Counts 7s-9s to be served concurrently with one another, but consecutively to the term imposed in Counts 1s, 3s-6s. Upon release from imprisonment, defendant shall be placed on supervised release for a term of three years. This term to consist of 3 years on each of Counts 1s, 3s-6s and 1 year on each of Counts 7s-9s, to all be served concurrently, with special conditions. Defendant is to pay \$18,413.12 restitution and \$800 special assessment.

FRAUD WITH IDENTIFICATION DOCUMENTS. From April 2004 and continuing to about May 2005 defendant herein, during and in relation

It is the judgment of the Court that the defendant is hereby committed to the custody of the BOP for a term of 18 months. Said term to consist of 6 months on each of Counts 1s, 3s-6s to be served concurrently with each other and 12 months on Counts 7s-9s to be served concurrently with one another,

to the crime of mail fraud as charged in Indictment, knowingly used, without lawful authority, a mean of identification of another person in violation of 18 USC 1028A.
(7s-9s)

but consecutively to the term imposed in Counts 1s, 3s-6s. Upon release from imprisonment, defendant shall be placed on supervised release for a term of three years. This term to consist of 3 years on each of Counts 1s, 3s-6s and 1 year on each of Counts 7s-9s, to all be served concurrently, with special conditions. Defendant is to pay \$18,413.12 restitution and \$800 special assessment.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1341.F (On or about September 29, 2004 and continuing to about May 2, 2005, defendant knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations and promises from on-line bidders, and for the purpose of the executing the scheme, did knowingly cause to be placed in a post office and an authorized depository for mail matter, numerous money orders, in violation of 18 U.S.C. 1341

Disposition

Plaintiff

USA

represented by **Eugene L Miller**
US ATTY
201 South Vine
Urbana, IL 61801
217-373-5875
Fax: 217-373-5891
Email: eugene.miller@usdoj.gov
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/03/2005	<u>1</u>	COMPLAINT as to Adewuyi Eddie Arojoye (1). (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/03/2005)
05/03/2005		Arrest of Adewuyi Eddie Arojoye (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/03/2005)
05/03/2005		Minute Entry for proceedings held on 5/3/2005 before Judge Harold A. Baker : Appearance by AUSA Eugene Miller for Government. Defendant ADEWUYI AROJOJOYE appeared in person. Cause called for Initial Appearance. Defendant advised of charges and rights, including right to counsel. Defendant files financial affidavit and requests court-appointed counsel. The Court finds defendant qualifies and appoints the Federal Public Defender. AFPD A. Brian Threlkeld present in court and informs the Court that AFPD Tiffani D Johnson will be lead counsel for Adewuyi Eddie Arojoye. Defendant advised of right to preliminary hearing. Government is not seeking detention. The Court orders defendant released on \$10,000 unsecured bond. Defendant is ordered to surrender his passport. Defendant is to next appear for Preliminary Examination on 5/6/2005 at 10:30 AM in Courtroom C before Magistrate Judge David G. Bernthal. (Court Reporter TJ) (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/03/2005)
05/03/2005	<u>3</u>	CJA 23 Financial Affidavit by Adewuyi Eddie Arojoye (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/03/2005)
05/03/2005	<u>4</u>	Unsecured Bond Entered as to Adewuyi Eddie Arojoye in amount of \$10,000. (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/03/2005)
05/06/2005		Minute Entry for proceedings held on 5/6/2005 before Judge David G. Bernthal : Appearance by AUSA Eugene Miller for Government. Defendant ADEWUYI AROJOJOYE appeared in person and with counsel, AFPD A. Brian Threlkeld for AFPD Tiffani Johnson. Cause called for Preliminary Examination. Defendant waives preliminary hearing. The Court finds the waiver knowing and voluntary and orders the cause bound over to the Grand Jury for further proceeding. Cause called for Bond Hearing. The Government requests a third-party custodian condition be added to the conditions for release. No objection by defendant. Written order setting conditions of release to be entered. Defendant's bond to remain in effect. (Tape #C274:2055-3141) (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/06/2005)
05/06/2005	<u>5</u>	ORDER Setting Conditions of Release as to Adewuyi Eddie Arojoye (1) \$10,000 unsecured. See written order entered by Judge David G. Bernthal on 5/6/2005. (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/06/2005)
05/06/2005		Receipt for Surrender of Passport as to Adewuyi Eddie Arojoye Passport Number 027561971 issued by USA (SP, ilcd) [2:05-mj-07217-DGB] (Entered: 05/06/2005)
05/12/2005	<u>6</u>	Arrest Warrant Returned Executed on 5/3/05 at Charleston, IL as to Adewuyi

		Eddie Arojojoye. (KM, ilcd) [2:05-mj-07217-DGB] (Entered: 05/12/2005)
06/02/2005	<u>7</u>	INDICTMENT as to Adewuyi Eddie Arojojoye (1) count(s) 1, 2, 3-5. (VB, ilcd) (Entered: 06/03/2005)
06/02/2005	<u>8</u>	+++ SEALED DOCUMENT. (VB, ilcd) (Entered: 06/03/2005)
06/03/2005		NOTICE OF HEARING as to Adewuyi Eddie Arojojoye. Arraignment is set for 6/9/2005 at 9:45 AM in Courtroom C before Magistrate Judge David G. Bernthal. (VB, ilcd) (Entered: 06/03/2005)
06/08/2005	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Carol A Dison appearing for Adewuyi Eddie Arojojoye (Dison, Carol) (Entered: 06/08/2005)
06/09/2005	<u>10</u>	NOTICE OF ATTORNEY APPEARANCE: Carol A Dison appearing for Adewuyi Eddie Arojojoye (Dison, Carol) (Entered: 06/09/2005)
06/09/2005		Minute Entry for proceedings held on 6/9/2005 before Judge David G. Bernthal : Appearance by AUSA Eugene Miller for Government. Defendant ADEWUYI AROJOJOYE appeared in person and with counsel, Carol Dison. The Court notes Atty Dison's e-filed notice of appearance and allows the substitution of Atty Dison for AFPD Tiffani Johnson. Attorney Tiffani D Johnson terminated in case as to Adewuyi Eddie Arojojoye. Arraignment as to Adewuyi Eddie Arojojoye (1) Counts 1,2,3-5 held. Dft sworn and questioned by the Court. Dft acknowledges receipt of indictment; advised of charges and penalties. Dft enters plea of not guilty. Scheduling order to be entered. Dft released on existing conditions of bond. (Tape #C280:213-600) (SP, ilcd) (Entered: 06/09/2005)
06/09/2005	<u>11</u>	SCHEDULING ORDER as to Adewuyi Eddie Arojojoye: Pretrial Conference set for 7/28/2005 at 1:30 PM; Jury Selection and Jury Trial set for 8/8/2005 at 9:00 AM; all by personal appearance in Courtroom A before Chief Judge Michael P. McCuskey. Entered by Judge David G. Bernthal on 6/9/2005. (SP, ilcd) (Entered: 06/09/2005)
06/09/2005	<u>12</u>	First MOTION to Withdraw as Attorney by Tiffani D Johnson. by Adewuyi Eddie Arojojoye. (Johnson, Tiffani) (Entered: 06/09/2005)
06/10/2005		TEXT ORDER entered by Chief Judge Michael P. McCuskey GRANTING Attorney Johnson's <u>12</u> Motion to Withdraw as Attorney for Adewuyi Eddie Arojojoye. (MB, ilcd) (Entered: 06/10/2005)
06/15/2005		ORDER entered by Chief Judge Michael P. McCuskey on 6/15/05 STRIKING <u>9</u> Notice of Attorney Appearance. Document 9 was incorrectly filed in this case and relates to another matter. Attorney Dison properly filed her entry of appearance <u>10</u> as to Adewuyi Eddie Arojojoye in this case on 6/9/2005. (MB, ilcd) (Entered: 06/15/2005)
07/08/2005	<u>13</u>	SUPERSEDING INDICTMENT as to Adewuyi Eddie Arojojoye (1) count (s) 1s, 2s, 3s-6s, 7s-9s. (KM, ilcd) (Entered: 07/11/2005)
07/08/2005	<u>14</u>	+++ SEALED DOCUMENT. (KM, ilcd) (Entered: 07/11/2005)
07/11/2005		NOTICE OF HEARING as to Adewuyi Eddie Arojojoye. Arraignment as to

		Superseding Indictment set for 7/19/2005 at 10:00 AM in Courtroom C before Magistrate Judge David G. Bernthal. (KM, ilcd) (Entered: 07/11/2005)
07/19/2005		Oral MOTION to Continue Arraignment by USA as to Adewuyi Eddie Arojojoye. (SP, ilcd) (Entered: 07/19/2005)
07/19/2005		Minute Entry for proceedings held on 7/19/2005 before Judge David G. Bernthal : Appearances by AUSA Eugene Miller for Govt; Atty Carol Dison for dft. No appearance by dft Adewuyi Eddie Arojojoye. Counsel for dft advises the Court that dft was not notified of the hearing. Arraignment not held. Motion Hearing held re Oral MOTION to Continue by USA; Motion granted. Arraignment reset for 7/28/2005 at 1:15 PM by personal appearance in Courtroom B before Magistrate Judge David G. Bernthal. (Tape #C289:4546-4900) (SP, ilcd) (Entered: 07/19/2005)
07/19/2005		TEXT ORDER granting Oral Motion to Continue as to Adewuyi Eddie Arojojoye (1) entered by Judge David G. Bernthal at hearing held on 7/19/2005. (SP, ilcd) (Entered: 07/19/2005)
07/22/2005		NOTICE OF HEARING as to Adewuyi Eddie Arojojoye: Due to a conflict in the Court's calendar, the Arraignment set for 7/28/2005 at 1:15 PM is RESET for for 7/28/2005 at 11:30 AM, by personal appearance in Courtroom B before Magistrate Judge David G. Bernthal. (SP, ilcd) (Entered: 07/22/2005)
07/28/2005		Minute Entry for proceedings held 7/28/05 before Judge David G. Bernthal. Appearance for Government by AUSA Eugene Miller. Defendant ADEWUYI EDDIE AROJOJOYE present in person and with counsel Carol Dison. Cause called for Arraignment as to Superseding Indictment. Defendant sworn; advised of charges and possible penalties. Defendant pleaded not guilty to all counts of Superseding Indictment. Previous scheduling order to remain in effect except that final pretrial will be held immediately following Arraignment. Defendant's bond to remain in effect. (Court Reporter LC.) (KM, ilcd) (Entered: 07/28/2005)
07/28/2005		ORAL MOTION to Continue pretrial and jury trial by Adewuyi Eddie Arojojoye at hearing held 7/28/05. (KM, ilcd) (Entered: 07/28/2005)
07/28/2005		Minute Entry for proceedings held 7/28/05 before Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant ADEWUYI EDDIE AROJOJOYE present in person and with counsel Carol Dison. Oral motion by defendant to continue pretrial and jury trial; no objection by Government. Motion granted. Pretrial Conference continued to 10/6/2005 at 10:30 AM in Courtroom A before Chief Judge Michael P. McCuskey. Jury trial previously set for 8/8/05 is VACATED and the jury trial is reset to 10/24/2005 at 9:00 AM in Courtroom A before Chief Judge Michael P. McCuskey. The Court finds by granting the continuance, the ends of justice are met pursuant to 18 USC 3161(h)(8)(A). The time from 7/28/05 to 10/24/05 is excluded. Defendant's bond to remain in effect and he is required to appear in person at both pretrial and jury trial. (Court Reporter LC.) (KM, ilcd) (Entered: 07/28/2005)

10/03/2005		NOTICE OF HEARING: Due to a conflict in the Court's calendar, the pretrial conference set for 10/6/2005 at 10:30 AM as to Adewuyi Eddie Arojoye is RESET to 10/7/2005 at 2:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. (MB, ilcd) (Entered: 10/03/2005)
10/07/2005		Minute Entry for proceedings held on 10/7/2005 before Chief Judge Michael P. McCuskey : Appearance by AUSA Eugene Miller for Govt. Dft ADEWUYI AROJOJOYE appeared in person and with counsel, Atty Carol Dison. Cause called for Pretrial Conference. Oral motion by dft to vacate jury trial and continue matter for status conference. Motion granted. Jury trial of 10/24/2005 is VACATED. Status Conference set for 10/31/2005 at 2:30 PM by personal appearance in Courtroom A before Chief Judge Michael P. McCuskey. The Court finds the ends of justice are met pursuant to 18 U.S.C. 3161(h)(8)(A). Time is excluded from 10/7/2005 to 10/31/2005. Dft's bond to remain in effect.(Court Reporter LC) (SP, ilcd) (Entered: 10/07/2005)
10/31/2005		Minute Entry for proceedings held 10/31/05 before Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant Adewuyi Eddie Arojoye present in person and with counsel Carol Dison. Status Conference held. Defendant requests change of plea hearing be continued to allow time to review the written plea agreement. Change of Plea Hearing continued to 11/16/2005 at 9:30 AM in Courtroom A before Chief Judge Michael P. McCuskey. The Court finds by granting the continuance, the ends of justice are met pursuant to 18 USC 3161(h)(8)(A). The time from 10/31/05 to 11/16/05 is excluded. Defendant's bond to remain in effect. (Court Reporter LC.) (KM, ilcd) (Entered: 10/31/2005)
11/16/2005		Minute Entry for proceedings held 11/16/05 before Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant Adewuyi Eddie Arojoye present in person and with counsel Carol Dison. Change of plea hearing not held as defendant advised he wants to go to trial. Trial estimated to last 5 days. Pretrial Conference set for 1/13/2006 at 9:30 AM in Courtroom A before Chief Judge Michael P. McCuskey. Jury selection only set for 1/19/2006 at 9:30 AM in Courtroom A before Chief Judge Michael P. McCuskey. Jury Trial set for 1/23/2006 at 9:00 AM in Courtroom A before Chief Judge Michael P. McCuskey. Parties to file any motions by 11/30/05; responses due by 12/14/05. The Court finds the ends of justice are met pursuant to 18 USC 3161(h)(8)(A). The time from 11/16/05 to 1/23/06 is excluded. Defendant's bond to remain in effect. (Court Reporter LC.) (KM, ilcd) (Entered: 11/17/2005)
01/04/2006		NOTICE OF HEARING as to Adewuyi Eddie Arojoye: Change of Plea Hearing is scheduled for 1/6/2006 at 2:00 PM in Courtroom C before Magistrate Judge David G. Bernthal. (KM, ilcd) (Entered: 01/04/2006)
01/04/2006	<u>15</u>	MOTION to Withdraw as Attorney by Carol Dison. by Adewuyi Eddie Arojoye. (Dison, Carol) (Entered: 01/04/2006)
01/05/2006	<u>16</u>	MOTION to Substitute Attorney, Carol A. Dison to be replaced by James I. Marcus, by Adewuyi Eddie Arojoye. (Marcus, James) (Entered: 01/05/2006)

01/05/2006		TEXT ORDER entered by Judge David G. Bernthal on 1/5/06. Attorney Carol A Dison's <u>15</u> Motion to Withdraw as Attorney for Adewuyi Eddie Arojojoye (1) is granted and she is terminated from the case. (KM, ilcd) Modified on 1/6/2006 to add copy e-mailed to Carol Dison (KM, ilcd). (Entered: 01/05/2006)
01/05/2006		TEXT ORDER entered by Judge David G. Bernthal on 1/5/06. Attorney James I. Marcus' <u>16</u> Motion for Substitution of Attorneys is GRANTED and the Clerk of Court is directed to enter Attorney Marcus as counsel for defendant Adewuyi Eddie Arojojoye (1). (KM, ilcd) (Entered: 01/05/2006)
01/06/2006		Minute Entry for proceedings held 1/6/06 before Judge David G. Bernthal. Appearance for Government by AUSA Eugene Miller. Defendant ADEWUYI EDDIE AROJOJOYE present in person and with counsel James Marcus. Written Notice regarding entry of plea of guilty filed. Change of Plea Hearing held. Defendant sworn; advised of rights, charges and possible penalties. Plea entered by Adewuyi Eddie Arojojoye (1) of guilty to Count 1s,3s-6s,7s-9s. Count 2s and Counts 1-5 of original Indictment to be dismissed at sentencing. Written plea agreement filed. Report and recommendation to be entered by Judge Bernthal recommending the District Judge accept plea and adjudication of guilt be entered to Counts 1s,3s-6s,7s-9s. Cause referred to US Probation for a presentence investigation report. Pretrial, jury selection and jury trial previously set are vacated. Sentencing set for 4/5/2006 at 2:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. Defendant's bond to remain in effect. (Court Reporter TJ.) (KM, ilcd) (Entered: 01/09/2006)
01/06/2006	<u>17</u>	Notice Regarding Entry of Plea and Signed Consent as to Adewuyi Eddie Arojojoye (KM, ilcd) (Entered: 01/09/2006)
01/06/2006	<u>18</u>	PLEA AGREEMENT as to Adewuyi Eddie Arojojoye (KM, ilcd) (Entered: 01/09/2006)
01/09/2006	<u>19</u>	ORDER on Implementation of Sentencing Guidelines as to Adewuyi Eddie Arojojoye. Entered by Judge David G. Bernthal on 1/9/06. (KM, ilcd) (Entered: 01/09/2006)
01/09/2006	<u>20</u>	Findings and Recommendation by Judge Bernthal concerning plea of guilty by defendant to Counts 1s,3s-6s,7s-9s. Miscellaneous Deadline of 1/24/2006 set for objections to be filed.(KM, ilcd) (Entered: 01/09/2006)
01/24/2006	<u>21</u>	Acceptance of Plea of Guilty, Adjudication of Guilt, and Notice of Sentencing as to Adewuyi Eddie Arojojoye entered by Judge Michael P. McCuskey on 1/24/06.Sentencing hearing remains set for 4/5/2006 at 2:30 PM before Judge McCuskey.(KM, ilcd) (Entered: 01/24/2006)
03/14/2006	<u>22</u>	MOTION to Continue <i>Sentencing Date to June 29, 2006</i> by Adewuyi Eddie Arojojoye. (Marcus, James) (Entered: 03/14/2006)
03/15/2006		NOTICE OF HEARING: A hearing on the <u>22</u> Motion to Continue Sentencing Date as to Adewuyi Eddie Arojojoye is set for 4/5/2006 at 2:30 PM before Chief Judge Michael P. McCuskey in Courtroom A, Urbana, IL. Defendant must be present in open Court for this hearing. Defense counsel

		may appear by telephone if he so desires and if so, should furnish a telephone number where he can be reached to the Court prior to 4/5/06. (MB, ilcd) (Entered: 03/15/2006)
04/05/2006		Minute Entry for proceedings held 4/5/06 before Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant Adewuyi Eddie Arojoye present in person with counsel James Marcus present via telephone. Motion hearing held regarding defendant's <u>22</u> Motion to Continue Sentencing. No objection by Government to continuance; motion granted. Sentencing reset for 6/29/2006 at 1:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. Any objections to presentence investigation report are due within next 2 weeks. Defendant's bond to remain in effect.(Court Reporter LC.) (KM, ilcd) (Entered: 04/05/2006)
06/20/2006	<u>23</u>	MOTION to Continue <i>Sentencing Hearing</i> by USA as to Adewuyi Eddie Arojoye. (Miller, Eugene) (Entered: 06/20/2006)
06/29/2006		Minute Entry for proceedings held on 6/29/2006 before Chief Judge Michael P. McCuskey : Appearance by AUSA Eugene Miller. Defendant ADEWUYI EDDIE AROJOJOYE appeared in person with counsel, Atty James Marcus by telephone. Motion Hearing held re <u>23</u> MOTION to Continue Sentencing Hearing filed by USA. Counsel for defendant has received the presentence report, does have objections and requests additional time to respond. Defendant is to file objections with U S Probation by 7/14/2006. Motion to Continue <u>23</u> granted. Sentencing set for 8/24/2006 at 2:30 PM in Courtroom A before Chief Judge Michael P. McCuskey. Bond to remain in effect. (Court Reporter LC) (SP, ilcd) (Entered: 06/29/2006)
08/24/2006		Minute Entry for proceedings held 8/25/06 before Chief Judge Michael P. McCuskey. Appearance for Government by AUSA Eugene Miller. Defendant Adewuyi Eddie Arojoye present in person and with counsel James Marcus. Sentencing held. Parties acknowledge receipt of presentence investigation report; objections noted by defendant. Oral motion for downward departure pursuant to USSG 5K1.1 by Government; motion granted. Recommendations heard. Statement in allocution heard by defendant. It is the judgment of the Court that the defendant is hereby committed to the custody of the BOP for a term of 18 months. Said term to consist of 6 months on each of Counts 1s, 3s-6s to be served concurrently with each other and 12 months on Counts 7s-9s to be served concurrently with one another, but consecutively to the term imposed in Counts 1s, 3s-6s. Upon release from imprisonment, defendant shall be placed on supervised release for a term of three years. This term to consist of 3 years on each of Counts 1s, 3s-6s and 1 year on each of Counts 7s-9s, to all be served concurrently, with special conditions. Defendant is to pay \$18,413.12 restitution and \$800 special assessment. Upon motion of the Government, all counts in original Indictment are dismissed and Count 2s of Superseding Indictment is dismissed. Defendant to report to institution as directed by BOP on 9/22/06 by 2:00 P.M. Defendant's bond to remain in effect.(Court Reporter LC.) (KM, ilcd) (Entered: 08/25/2006)
08/24/2006	24	+++ PRESENTENCE INVESTIGATION REPORT as to Adewuyi Eddie

		Arojojoye (KM, ilcd) (Entered: 08/25/2006)
08/24/2006	<u>25</u>	+++ SENTENCING RECOMMENDATION as to Adewuyi Eddie Arojojoye. (KM, ilcd) (Entered: 08/25/2006)
08/24/2006	<u>26</u>	EXHIBIT LIST. Court's exhibit from sentencing hearing of Adewuyi Eddie Arojojoye. Sealed list of victims' addresses and amounts owed (exhibit stored in vault). (KM, ilcd) (Entered: 08/30/2006)
08/30/2006	<u>27</u>	JUDGMENT as to Adewuyi Eddie Arojojoye (1) entered by Judge Michael P. McCuskey on 8/30/06. (KM, ilcd) (Entered: 08/30/2006)
08/30/2006	<u>28</u>	+++ STATEMENT OF REASONS FOR IMPOSING SENTENCE as to Adewuyi Eddie Arojojoye (KM, ilcd) (Entered: 08/30/2006)
12/04/2006	<u>29</u>	Judgment Returned Executed as to Adewuyi Eddie Arojojoye on 11/27/06 at FPC Oxford, WI. (KM, ilcd) (Entered: 12/04/2006)
02/06/2008	<u>30</u>	Jurisdiction Transferred to Northern District of IL as to Adewuyi Eddie Arojojoye. ND/IL #08 CR 0096 assigned to Judge John W. Darrah. (KM, ilcd) (Entered: 02/06/2008)
02/06/2008	<u>31</u>	Letter from Clerk ND/IL with docket sheet (08 CR 0096). (KM, ilcd) (Entered: 02/06/2008)
02/06/2008	<u>32</u>	Letter to Clerk ND/IL from Clerk CD/IL with docket sheet enclosed. (KM, ilcd) (Entered: 02/06/2008)

E-FILED

Friday, 03 June, 2005 09:24:56 AM
Clerk, U.S. District Court, ILCD

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION

FILED

JUN - 2 2005

JOHN M. WATERS, Clerk
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

No. CR 05-200 24

ADEWUYI "EDDIE" AROJOJOYE,)

(Also Known As "Michael Cookes,")

"Timothy Anderson," and "Donald)

Webb"),)

Defendant.)

Title 18, United States Code,
Sections 1341 and 1343.

INDICTMENT

COUNT ONE

(Mail Fraud)

THE GRAND JURY CHARGES:

1. From about April, 2004, and continuing to about April, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services.

The Scheme

2. It was a part of the scheme that AROJOJOYE caused accounts through online auction services, such as E-bay and Yahoo!, to be set up. AROJOJOYE then caused items to be advertised for sale, such as cellular telephones, plasma televisions,

and electronic keyboards, through those online auction services and falsely represented that he was in possession of those items.

3. It was further part of the scheme that AROJOJOYE caused e-mail or the telephone to be used to directly contact the individuals who had bid on the advertised items and requested those individuals to send payment for the items, usually via either U.S. Postal money orders or Western Union money transfers in the name of one of AROJOJOYE's aliases, such as "Michael Cookes," "Timothy Anderson," and "Donald Webb.". When U.S. Postal money orders were the method of payment, AROJOJOYE caused them to be sent through the United States mail and addressed to a vacant or non-existent address in Charleston, Illinois. AROJOJOYE falsely represented that he would ship the item to the individual after he received payment for the item.

4. It was further part of the scheme that AROJOJOYE either went to the U.S. Post Office or met the U.S. Postal carrier and falsely identify himself as "Michael Cookes," or "Timothy Anderson," or "Donald Webb" and took receipt of the envelope or package containing the U.S. Postal money order. AROJOJOYE then either cashed the money order himself or sent the money order to others to be cashed. Over \$20,000 was obtained from over 25 victims by AROJOJOYE as part of the scheme.

5. It was further part of the scheme that after receiving the money, AROJOJOYE failed to provide the individuals with the items that he had caused to be advertised on the online auction service. To avoid detection of his scheme, AROJOJOYE failed to return telephone calls or e-mail messages and canceled and

changed his E-bay or Yahoo! ID and e-mail address, and used other aliases.

Execution of the Scheme

6. On September 29, 2004, the defendant contacted C.K.T. and led him to believe he had won an E-bay auction for a Korg Triton Studio 88 keyboard for \$2,000 advertised by the defendant. The defendant instructed C.K.T. to send two money orders totaling \$2,000 to Michael Cookes at 1202 Lincoln Avenue, Apartment 3B, Charleston, Illinois, although no one by that name resided at that address.

7. On or about October 4, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon two money orders totaling \$2,000, which money orders were sent via Express Mail in the United States Mail from C.K.T. in Florida addressed to "Michael Cookes" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

8. After receiving the money orders, the defendant failed to provide C.K.T. with the Korg Triton Studio 88 keyboard.

COUNT TWO
(Wire Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5

of Count One of this Indictment as though fully set forth herein.

6. On September 29, 2004, the defendant contacted F.Q. and led him to believe he could purchase two Sony plasma televisions advertised by the defendant on a Yahoo auction for \$3,500. The defendant instructed F.Q. to call him at (217) 512-9631, a telephone number subscribed to the defendant at the time, to arrange the transaction.

7. On or about October 1, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme did cause to be transmitted in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, that is, a telephone call from California to telephone number (217) 512-9631 in Illinois in which the defendant falsely represented to F.Q. that the defendant would send F.Q. two Sony plasma televisions if F.Q. sent the defendant \$3,500.

In violation of Title 18, United States Code, Section 1343.

8. Initially, the defendant instructed F.Q. to send a money order to Mike Cook at 1202 Lincoln Avenue, Apt. 3A, Charleston, Illinois 61920. The defendant later instructed F.Q. to send the money via Western Union wire transfer to a Chicago address. After F.Q. sent the money to the defendant via wire transfer, the defendant failed to provide F.Q. with the two Sony plasma televisions.

COUNT THREE
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around December 9, 2004, the defendant contacted R.H. and led her to believe she had won an E-bay auction for a cellular telephone for \$280 advertised by the defendant. Per the defendant's instructions, R.H. sent a Western Union money order paid to the order of Michael Cookes to 1202 Lincoln Avenue, Apartment 3, Charleston, Illinois via Express Mail.

7. On or about December 11, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a money order totaling \$280, which money order was sent via Express Mail in the United States Mail from R.H. in Hawaii addressed to "Michael Cookes" in Charleston, Illinois.

In violation of Title 18, United States Code, Section 1341.

8. Although the defendant received a \$280 money order, and the money order was cashed, the defendant failed to provide R.H. with the cellular telephone.

COUNT FOUR
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around March 26, 2005, J.S. won an online auction on E-bay by bidding \$380 for a Motrolola Razor cellular telephone advertised by the defendant. Per the defendant's instructions, J.S. sent a postal money order paid to the order of Donald Webb to 1310 4th Street, Charleston, Illinois via Express Mail.

7. On or about March 28, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a money order totaling \$380, which money order was sent via Express Mail in the United States Mail from J.S. in California addressed to "Donald Webb" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

8. Although the defendant received the \$380 money order, and the money order was cashed, the defendant failed to provide J.S. with the cellular telephone.

COUNT FIVE
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around May 1, 2005, V.S. won an online auction by bidding on a cellular telephone advertised by the defendant. Per the defendant's instructions, V.S. sent a postal money order paid to the order of Donald Webb to 1310 4th Street, Charleston, Illinois via Express Mail.

7. On or about May 2, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,
defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a postal money order, which money order was sent via Express Mail in the United States Mail from V.S. in

Connecticut addressed to "Donald Webb" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

A TRUE BILL.

s/Foreperson
FOREPERSON

s/Greg Harris
JAN PAUL MILLER
United States Attorney

ELM

E-FILED

Monday, 11 July, 2005 01:25:04 PM
Clerk, U.S. District Court, ILCD

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

FILED

JUL - 8 2005

JOHN M. WATERS, Clerk
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

No. CR 05-20024

ADEWUYI "EDDIE" AROJOJOYE,)

(Also Known As "Michael Cookes,")

"Timothy Anderson," and "Donald)

Webb"),)

Defendant.)

Title 18, United States Code,
Sections 1341, 1343 & 1028A.

**SUPERSEDING
INDICTMENT**

COUNT ONE

(Mail Fraud)

THE GRAND JURY CHARGES:

1. From about April, 2004, and continuing to about May, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, knowingly devised a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises from individuals who bid on items advertised for sale through online auction services.

The Scheme

2. It was a part of the scheme that AROJOJOYE caused accounts through online auction services, such as E-bay and Yahoo!, to be set up. AROJOJOYE then caused items to be advertised for sale, such as cellular telephones, plasma televisions,

and electronic keyboards, through those online auction services and falsely represented that he was in possession of those items.

3. It was further part of the scheme that AROJOJOYE caused e-mail or the telephone to be used to directly contact the individuals who had bid on the advertised items and requested those individuals to send payment for the items, usually via either U.S. Postal money orders or Western Union money transfers in the name of one of AROJOJOYE's aliases, such as "Michael Cookes," "Timothy Anderson," and "Donald Webb.". When U.S. Postal money orders were the method of payment, AROJOJOYE caused them to be sent through the United States mail and addressed to a vacant or non-existent address in Charleston, Illinois. AROJOJOYE falsely represented that he would ship the item to the individual after he received payment for the item.

4. It was further part of the scheme that AROJOJOYE either went to the U.S. Post Office or met the U.S. Postal carrier and falsely identify himself as "Michael Cookes," or "Timothy Anderson," or "Donald Webb" and took receipt of the envelope or package containing the U.S. Postal money order. AROJOJOYE then either cashed the money order himself or sent the money order to others to be cashed. Over \$20,000 was obtained from over 25 victims by AROJOJOYE as part of the scheme.

5. It was further part of the scheme that after receiving the money, AROJOJOYE failed to provide the individuals with the items that he had caused to be advertised on the online auction service. To avoid detection of his scheme, AROJOJOYE failed to return telephone calls or e-mail messages and canceled and

changed his E-bay or Yahoo! ID and e-mail address, and used other aliases.

Execution of the Scheme

6. On September 29, 2004, the defendant contacted C.K.T. and led him to believe he had won an E-bay auction for a Korg Triton Studio 88 keyboard for \$2,000 advertised by the defendant. The defendant instructed C.K.T. to send two money orders totaling \$2,000 to Michael Cookes at 1202 Lincoln Avenue, Apartment 3B, Charleston, Illinois, although no one by that name resided at that address.

7. On or about October 4, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon two money orders totaling \$2,000, which money orders were sent via Express Mail in the United States Mail from C.K.T. in Florida addressed to "Michael Cookes" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

8. After receiving the money orders, the defendant failed to provide C.K.T. with the Korg Triton Studio 88 keyboard.

COUNT TWO
(Wire Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5

of Count One of this Indictment as though fully set forth herein.

6. On September 29, 2004, the defendant contacted F.Q. and led him to believe he could purchase two Sony plasma televisions advertised by the defendant on a Yahoo auction for \$3,500. The defendant instructed F.Q. to call him at (217) 512-9631, a telephone number subscribed to the defendant at the time, to arrange the transaction.

7. On or about October 1, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme did cause to be transmitted in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, that is, a telephone call from California to telephone number (217) 512-9631 in Illinois in which the defendant falsely represented to F.Q. that the defendant would send F.Q. two Sony plasma televisions if F.Q. sent the defendant \$3,500.

In violation of Title 18, United States Code, Section 1343.

8. Initially, the defendant instructed F.Q. to send a money order to Mike Cook at 1202 Lincoln Avenue, Apt. 3A, Charleston, Illinois 61920. The defendant later instructed F.Q. to send the money via Western Union wire transfer to a Chicago address. After F.Q. sent the money to the defendant via wire transfer, the defendant failed to provide F.Q. with the two Sony plasma televisions.

COUNT THREE
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around December 9, 2004, the defendant contacted R.H. and led her to believe she had won an E-bay auction for a cellular telephone for \$280 advertised by the defendant. Per the defendant's instructions, R.H. sent a Western Union money order paid to the order of Michael Cookes to 1202 Lincoln Avenue, Apartment 3, Charleston, Illinois via Express Mail.

7. On or about December 11, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a money order totaling \$280, which money order was sent via Express Mail in the United States Mail from R.H. in Hawaii addressed to "Michael Cookes" in Charleston, Illinois.

In violation of Title 18, United States Code, Section 1341.

8. Although the defendant received a \$280 money order, and the money order was cashed, the defendant failed to provide R.H. with the cellular telephone.

COUNT FOUR
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around March 26, 2005, J.S. won an online auction on E-bay by bidding \$380 for a Motrolola Razor cellular telephone advertised by the defendant. Per the defendant's instructions, J.S. sent a postal money order paid to the order of Donald Webb to 1310 4th Street, Charleston, Illinois via Express Mail.

7. On or about March 28, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a money order totaling \$380, which money order was sent via Express Mail in the United States Mail from J.S. in California addressed to "Donald Webb" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

8. Although the defendant received the \$380 money order, and the money order was cashed, the defendant failed to provide J.S. with the cellular telephone.

COUNT FIVE
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5 of Count One of this Indictment as though fully set forth herein.

6. Around May 1, 2005, V.S. won an online auction by bidding on a cellular telephone advertised by the defendant. Per the defendant's instructions, V.S. sent a postal money order paid to the order of Donald Webb to 1310 4th Street, Charleston, Illinois via Express Mail.

7. On or about May 2, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a postal money order, which money order was sent via Express Mail in the United States Mail from V.S. in Connecticut addressed to "Donald Webb" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

COUNT SIX
(Mail Fraud)

THE GRAND JURY CHARGES:

1.-5. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 5

of Count One of this Indictment as though fully set forth herein.

6. Around April 25, 2005, G.P. won an online auction by bidding on a PalmOne Treo 650 GSM quad band world phone advertised by the defendant. Per the defendant's instructions, G.P. sent a certified check for \$401.20 payable to the order of Donald Webb to 1310 4th Street, Charleston, Illinois via United States Mail.

7. On or about April 25, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, for the purpose of executing the scheme and artifice did knowingly cause to be delivered by mail according to the direction thereon a certified check, which certified check was sent via the United States Mail from G.P. in Florida addressed to "Donald Webb" in Charleston, Illinois, delivered by the United States Postal Service, and received by the defendant.

In violation of Title 18, United States Code, Section 1341.

8. Although the defendant received the \$401.20 certified check, and the check was cashed, the defendant failed to provide G.P. with the telephone

COUNT SEVEN
(Aggravated Identity Theft)

THE GRAND JURY CHARGES:

1.-8. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 8 of Count Three of this Indictment as though fully set forth herein.

9. On or about November 12, 2004 and continuing to on or about December

11, 2004, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, during and in relation to the crime of Mail Fraud as charged in Count Three, knowingly used, without lawful authority, a means of identification of another person, to wit, the name and access device of S.H. of Long Beach, California and the name of M.Q. of Orland Hills, Illinois.

In violation of Title 18, United States Code, Section 1028A.

COUNT EIGHT

(Aggravated Identity Theft)

THE GRAND JURY CHARGES:

1.-8. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 8 of Count Four of this Indictment as though fully set forth herein.

9. On or about December 19, 2004, and continuing to on or about March 28, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, during and in relation to the crime of Mail Fraud as charged in Count Four, knowingly used, without lawful authority, a means of identification of another person, to wit, the name and access device of D.W. of Ponca City, Oklahoma.

In violation of Title 18, United States Code, Section 1028A.

COUNT NINE
(Aggravated Identity Theft)

THE GRAND JURY CHARGES:

1.-8. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 to 8 of Count Six of this Indictment as though fully set forth herein.

9. On or about December 13, 2004, and continuing to on or about April 25, 2005, in Coles County, in the Central District of Illinois, and elsewhere,

ADEWUYI "EDDIE" AROJOJOYE,

defendant herein, during and in relation to the crime of Mail Fraud as charged in Count Six, knowingly used, without lawful authority, a means of identification of another person, to wit, the name and access device of N.S. of Dale City, Virginia.

In violation of Title 18, United States Code, Section 1028A.

A TRUE BILL.

s/ Foreperson

~~FOREPERSON~~

s/ Gregory Harris for

JAN PAUL MILLER
United States Attorney

ELM

E-FILEDAO 245B (Rev. 12/03) Judgment in a Criminal Case
Sheet 1

Wednesday, 30 August, 2006 01:57:08 PM

Clerk, U.S. District Court, ILCD

UNITED STATES DISTRICT COURT

Central

District of

Illinois

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

ADEWUYI "EDDIE" AROJOJOYE

Case Number: 05-20024-001

a/k/a Michael Cookes, Timothy Anderson,
and Donald Webb

USM Number: 14315-026

James I. Marcus

Defendant's Attorney

THE DEFENDANT:☒ pleaded guilty to count(s) 1s, 3s-6s, 7s-9s☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC § 1341	Mail Fraud	5/31/2005	1s, 3s-6s
18 USC § 1028A	Aggravated Identity Theft	5/31/2005	7s-9s

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☒ Count(s) 1-5, 2s ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

8/24/2006

Date of Imposition of Judgment

s/ Michael P. McCuskey

Signature of Judge

MICHAEL P. McCUSKEY

Chief U.S. District Judge

Name and Title of Judge

8/30/2006

Date

DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

18 months. Said term shall consist of 6 months of each of Counts 1s, 3s-6s to be served concurrently with each other; and 12 months on Counts 7s-9s, to be served concurrently with one another but consecutively to the term imposed in Counts 1s, 3s-6s.

☒ The court makes the following recommendations to the Bureau of Prisons:

Due to extensive family ties, the Court recommends to the Bureau of Prisons that the defendant be housed in the Midwest for visitation. The Court does not find the defendant to be a threat to harm others or a risk of flight. Therefore, the Court recommends to the BOP that the defendant be housed in a minimum security facility or a federal camp.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☒ before 2:00 p.m. on 9/22/2006

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

three (3) years. This term shall consist of three years on each of Counts 1s, 3s-6s and one year on each of Counts 7s-9s, to all be served concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from ☐ excessive ☒ any use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001

SPECIAL CONDITIONS OF SUPERVISION

1. You shall refrain from any use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician. You shall, at the direction of the probation officer, participate in a program for substance abuse treatment, including testing to determine whether you have used controlled substances and/or alcohol. You shall pay for these services as directed by the probation officer.
2. You shall participate in a program of job training or employment counseling as directed by the probation officer.
3. You shall not incur any new debts or open any additional lines of credit without prior approval of the probation officer.
4. You shall provide the probation officer access to any requested financial information including both your business and personal income tax returns.
5. You shall not own, purchase, or possess a firearm, ammunition, or other dangerous weapon.

DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 800.00	\$ 0.00	\$ 18,413.12

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
	\$500.00		
	\$405.65		
	\$966.40		
	\$76.20		
	\$543.00		
	\$291.57		
	\$300.40		
	\$351.00		
	\$14.65		
	\$1,000.00		
	\$331.00		
TOTALS	\$ <u>18,413.12</u>	\$ <u>0.00</u>	

☒ Restitution amount ordered pursuant to plea agreement \$ 18,413.12

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 12/03) Judgment in a Criminal Case
Sheet 5B — Criminal Monetary Penalties

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DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001

ADDITIONAL RESTITUTION PAYEES

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
	\$419.65		
	\$425.26		
	\$1,317.77		
	\$2,645.00		
	\$1,080.00		
	\$54.30		
	\$23.64		
	\$390.30		
	\$409.30		
	\$394.65		
	\$399.55		
	\$465.00		
	\$2,015.65		
	\$2,600.00		
	\$264.30		
	\$241.51		
	\$487.37		

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ADEWUYI "EDDIE" AROJOJOYE
CASE NUMBER: 05-20024-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

The defendant shall participate in the Inmate Financial Responsibility Program. During incarceration, the defendant shall make payments of either quarterly installments of a minimum of \$25 if working non-UNICOR or a minimum of 50% of monthly earnings, whichever is greater, if working in UNICOR. Upon release from confinement, the defendant shall make monthly payments at the rate of at least 50% of his disposable income per month, or at least \$200 per month, whichever is greater, during the entire term of supervised release.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.